

NOTICE OF TYPE III DEVELOPMENT REVIEW APPLICATION AND PUBLIC HEARING

(Form DS1308)



The Department of Community Development has received an application for development review, as described below. This application is subject to public notice and public hearing pursuant to Clark County Code (CCC) Section 40.510.030 and applicable code sections as listed below.

The Clark County Hearings Examiner will conduct the public hearing on **November 4, 2004 at 7:00 P.M.**, at **Public Service Center, 1300 Franklin St., Vancouver, Washington, Sixth Floor Suite 680** (see attached map). Parking is available in the parking garage on the north side of the Public Service Center (access off Franklin St.) after 6pm.

At the hearing, the Examiner will consider the following:

Project Name: **C-DYMOND ESTATES SUBDIVISION**

Case Number: PLD2004-00069; SEP2004-00127; HAB2004-00172; SHL2004-00011; EVR2004-00064

Location: South of SE 20th Street at 328th Avenue

Request: The applicant is requesting to subdivide an approximate 72.57-acre parcel into 12 single-family residential lots located in the R-5 zoning district.

Applicant: Mak LLC
3507 NE 151st Court
Vancouver, WA 98682
(503) 659-4055

Contact Person: Olson Engineering, Inc.
Attn: Gayle Bennett
1111 Broadway
Vancouver, WA 98660
(360) 695-1385; (360) 695-8117 FAX
E-mail: gayle@olsonengr.com

Property Owner: Same as applicant

Hearing Examiner:

Daniel Kearns

Staff Contact:

Josh Warner, Extension 4898

Neighborhood Contact:

Washougal River Neighborhood Association

Steve Gibson – Council Member

PO Box 846

Washougal, WA 98671

message phone: 835-1716

E-mail: win@ispllc.net

Date this Public Notices Issued: September 3, 2004

Legal Description of Property:

Northeast Quarter of Section 5, Township 1 North, Range 4 East of the Willamette Meridian (Parcel Number 130270-000)

Approval Standards/Applicable Law:

Clark County Code Sections: Title 15 (Fire Protection), Title 24 (Public Health), 40.210 (Rural Zones), 40.350.020 (Transportation Concurrency), 40.380 (Stormwater and Erosion Control), 40.440 (Habitat Conservation), 40.450 (Wetland Protection), 40.510.030 (Procedures), 40.540.040 (Subdivision), 40.570 (SEPA), 40.610 (Impact Fees), Clark County Shoreline Management Master Program Regulations,

Application & Fully Complete Date:

Application Filed: August 5, 2004

Fully Complete: August 26, 2004

SEPA Appeal Process:

In accordance with the State Environmental Policy Act (SEPA) and Clark County Code 20.50.030, the County must determine if there are significant environmental impacts associated with this request. The County will review the applicant's submitted SEPA checklist and make a determination in the combined Development Review Staff Report and SEPA Checklist Review to be issued at least fifteen (15) calendar days prior to the hearing.

A Determination of Non-significance (DNS) indicates that identified impacts can be adequately addressed with the application of existing County Codes and development standards. A Mitigated Determination of Non-significance (MDNS) indicates that identified impacts can be adequately addressed with conditions of approval.

Procedural or substantive appeals of a Determination of Non-Significance (DNS) or a Mitigated determination of Non-Significance (MDNS) must be filed in writing with the County within fourteen (14) calendar days of the date the SEPA Determination is issued. There is no SEPA appeal fee for Type III reviews. SEPA appeals will be

considered by the Hearings Examiner at the scheduled public hearing noted above, and decided in the subsequent written decision.

Issues of compliance with existing adopted approval standards and criteria can be addressed in the public hearing without an appeal of the SEPA determination.

Staff Report Timelines/Process:

Staff reports, agendas, and/or SEPA reviews and determinations will be available for review at least fifteen (15) calendar days before the hearing date. Information regarding this application may be obtained by contacting **Josh Warner at (360) 397-2375, Ext. 4898** at the Clark County Development Services Division, 1300 Franklin Street, Vancouver, Washington. Office hours are from 8:00-5:00 p.m., Monday - Friday.

Public Testimony Process:

Any person wishing to present testimony should arrive by **7:00 p.m.** at the Public Service Center, 6th floor, 1300 Franklin Street, Vancouver, Washington.

Faxed & Written Testimony

Testimony can be faxed to the Development Services Division at (360) 397-2011, Attn: **Susan Rice**. Written testimony can be mailed or hand delivered to the Development Services Division, Clark County Community Development, 1300 Franklin Street, PO Box 9810 Vancouver, WA 98666-9810.

Comments received before September 17, 2004 will be considered in the Staff Report.

Faxed, mailed or delivered testimony must be received at the Community Development Customer Service Center by **1:00 P.M., the day of the hearing**. Other written or verbal testimony may be presented and considered at the public hearing.

Note: If an accurate mailing address for those submitting comment is not included, they will not qualify as a "Party of Record" and, therefore, will not have standing to appeal the decision.

Appeal Process:

The Hearing Examiner normally issues a decision within two weeks of the public hearing. In accordance with Clark County Code 40.510.030(H), appeals of Hearing Examiner decisions must be filed with the Board of County Commissioners within fourteen (14) days of the mailing of the Hearing Examiner's written decision. Hearings Examiner decisions on any SEPA appeal cannot be further appealed to the Board of County Commissioners. Such appeals must pursue judicial review.

Appeals must be in writing and contain a brief statement describing why the Hearing Examiner's decision is in error. The appeal must be accompanied by check in the amount of **\$279**. Checks shall be made payable to the Board of County Commissioners.

Accommodation of Physical Impairments:

The Customer Service Center is wheelchair accessible. For persons requiring auxiliary aids or special arrangements in order to participate in this hearing, please contact the Development Services Division as far in advance of the hearing date as possible. To request these arrangements, please contact Susan Rice at (360) 397-2375, Ext., 4075 or call the Telecommunications Device for the Deaf (TDD) line at (360) 397-6057.

**Public Service Center
Department of Community Development
1300 Franklin Street
P.O. Box 9810
Vancouver, WA. 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.clark.wa.gov>**